

Calendar No. 543

110TH CONGRESS
1ST SESSION

S. RES. 396

Expressing the sense of the Senate that the hanging of nooses for the purpose of intimidation should be thoroughly investigated by Federal, State, and local law enforcement authorities and that any criminal violations should be vigorously prosecuted.

IN THE SENATE OF THE UNITED STATES

DECEMBER 7, 2007

Mr. CARDIN (for himself, Mr. HATCH, Mr. LEAHY, Mr. SPECTER, Mrs. CLINTON, Mr. SCHUMER, Mr. MENENDEZ, Mr. OBAMA, Ms. LANDRIEU, Mr. BIDEN, Mr. KENNEDY, Mr. GRASSLEY, Mr. WHITEHOUSE, Mr. COBURN, and Mr. KOHL) submitted the following resolution; which was referred to the Committee on the Judiciary

DECEMBER 13, 2007

Reported by Mr. LEAHY, with an amendment and an amendment to the preamble and an amendment to the title

[Strike out all after the resolving clause and insert the part printed in italic]

[Strike the preamble and insert the part printed in italic]

RESOLUTION

Expressing the sense of the Senate that the hanging of nooses for the purpose of intimidation should be thoroughly investigated by Federal, State, and local law enforcement authorities and that any criminal violations should be vigorously prosecuted.

Whereas, in the fall of 2007, nooses have been found hanging in or near a high school in North Carolina, a Home Depot store in New Jersey, a school playground in Louisiana, the campus of the University of Maryland, a factory in Houston, Texas, and on the door of a professor's office at Columbia University;

Whereas the Southern Poverty Law Center has recorded between 40 and 50 suspected hate crimes involving nooses since September 2007;

Whereas, since 2001, the Equal Employment Opportunity Commission has filed more than 30 lawsuits that involve the displaying of nooses in places of employment;

Whereas nooses are reviled by many Americans as symbols of racism and of lynchings that were once all too common;

Whereas, according to Tuskegee Institute, more than 4,700 people were lynched between 1882 and 1959 in a campaign of terror led by the Ku Klux Klan;

Whereas the number of victims killed by lynching in the history of the United States exceeds the number of people killed in the horrible attack on Pearl Harbor (2,333 dead) and Hurricane Katrina (1,836 dead) combined; and

Whereas African-Americans, as well as Italian, Jewish, and Mexican-Americans, have comprised the vast majority of lynching victims, and only when we erase the terrible symbols of the past can we finally begin to move forward on issues of race in the United States: Now, therefore, be it

Whereas, in the fall of 2007, nooses have been found hanging in or near a high school in North Carolina, a Home Depot store in New Jersey, a school playground in Louisiana, the

campus of the University of Maryland, a factory in Houston, Texas, and on the door of a professor's office at Columbia University;

Whereas the Southern Poverty Law Center has recorded between 40 and 50 suspected hate crimes involving nooses since September 2007;

Whereas, since 2001, the Equal Employment Opportunity Commission has filed more than 30 lawsuits that involve the displaying of nooses in places of employment;

Whereas nooses are reviled by many Americans as symbols of racism and of lynchings that were once all too common;

Whereas, according to Tuskegee Institute, more than 4,700 people were lynched between 1882 and 1959 in a campaign of terror led by the Ku Klux Klan;

Whereas the number of victims killed by lynching in the history of the United States exceeds the number of people killed in the horrible attack on Pearl Harbor (2,333 dead) and Hurricane Katrina (1,836 dead) combined; and

Whereas African-Americans, as well as Italian, Jewish, and Mexican-Americans, have comprised the vast majority of lynching victims, and, by erasing the terrible symbols of the past, we can continue to move forward on issues of race in the United States: Now, therefore, be it

- 1 *Resolved, That it is the sense of the Senate that—*
- 2 *(1) the hanging of nooses is a reprehensible act*
- 3 *when used for the purpose of intimidation and,*
- 4 *under certain circumstances, can be criminal;*

1 ~~(2) the hanging of nooses for the purpose of in-~~
 2 ~~timidation should be investigated thoroughly by Fed-~~
 3 ~~eral, State, and local law enforcement; and~~

4 ~~(3) any criminal violations involving the hang-~~
 5 ~~ing of nooses should be vigorously prosecuted.~~

6 *That it is the sense of the Senate that—*

7 *(1) the hanging of nooses is a reprehensible act*
 8 *when used for the purpose of intimidation and, under*
 9 *certain circumstances, can be criminal;*

10 *(2) incidents involving the hanging of a noose*
 11 *should be investigated thoroughly by Federal, State,*
 12 *and local law enforcement, and all private entities*
 13 *and individuals should be encouraged to cooperate*
 14 *with any such investigation; and*

15 *(3) any criminal violations involving the hang-*
 16 *ing of nooses should be vigorously prosecuted.*

Amend the title so as to read: “Expressing the sense of the Senate that the hanging of nooses should be thoroughly investigated by Federal, State, and local law enforcement authorities and that any criminal violations should be vigorously prosecuted.”.

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